IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 27083 of 2001

03.08.2005

Between:

The Housing Board Allottees Association, rep. by its President Sri. K.Ramakrishna Raju.

..... PETITIONER

AND

The Bhimavaram Municipality, rep. by its Chairperson & others

.....RESPONDENTS

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.27083 of 2001

O R D E R:

This writ petition is filed to declare the action of the first respondent in changing the name of the A.P.Housing Board Colony as “Nachu Venkatramaiah Nagar” and approving the same vide resolution No.544/56, dated 26.12.2001, without taking into consideration the objections of the petitioner-Association as arbitrary and illegal.

The grievance of the petitioner-Association is that the representation submitted

by it is pending consideration before the respondent-authorities and the Colony has not yet been handed over to the Municipality and it is still under the control of the third respondent, hence, the first respondent has no authority to change the name of the Colony.

Despite service of notice, respondents 1 and 2 have not chosen to file the counter. Third respondent filed its counter.

As the resolution has been passed without considering the objections of the petitioner-Association and admittedly by the time of passing the resolution, the Colony was not handed over to the first respondent, I feel it appropriate to set aside the resolution, dated 26.12.2001. By this time, if the Colony is handed over to the first respondent, they are at liberty to take appropriate action.

Accordingly, the writ petition is allowed. No costs.

03.08.2005

usd